

REGULAR MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

~APPEALS~

Friday August 17, 2018  
9:00 a.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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*MINUTES*

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Members present: Chairman Mark Liotta, Commissioner Jordan Russell and Commissioner Megan Tilly.

Staff present to support the Commission: Lindsey Christopher, Dana Esparza and Monica Pack.

**STATEMENT OF OKLAHOMA OPEN MEETING LAW**  
**COMPLIANCE**

Notice of this Regular Meeting was filed with the Secretary of State's office on Monday, November 13, 2017 at 9:05 a.m., in compliance with the Open Meeting Act.

The Agenda was posted more than 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 North Stiles, the Commission's principal office.

**CALL TO ORDER .....Presiding Appellate Officer, Chairman Liotta**

Call to order 9:00 a.m. by Chairman Liotta, Presiding Appellate Officer.

**ROLL CALL .....Presiding Appellate Officer, Chairman Liotta**

After the roll call was taken, Chairman Liotta announced the presence of a Quorum.

**A. MINUTES:**

- The drafted Minutes of the Special Appeal Meeting of July 20, 2018, were considered for approval.

Commissioner Liotta presented the minutes of the July 20, 2018, Meeting for approval.

**Motion:** Commissioner Tilly made a motion to approve the minutes of the July 20, 2018 Meeting.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta, Commissioner Russell and Commissioner Tilly.

**B. Appeal Hearings before the Commission En Banc from Orders Issued by the Commission's Administrative Law Judges**

**Edith Butler v. Multiple Injury Fund, File # CM2014-09512K**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. John R. Colbert represented the Claimant. Jon Derouen represented the Respondent.

**Motion:**

After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Tilly moved to take preliminary action to reverse the Administrative Law Judges Order and instruct Appellate Counsel or another staff member to draft a proposed order for consideration at a future meeting.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER REVERSED**

**Kevin Cantwell v. Flex N Gate Oklahoma LLC, & Trumbull Insurance Co., #CM2016-04789A**

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. TR Banks is the attorney of record for the Claimant and Steven E. Hanna is the attorney of record for the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Tilly moved to affirm the Administrative Law Judge's order and instructed Appellate Counsel or other staff member to draft a proposed order with findings of fact and conclusions of law for consideration at a future meeting.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Terry Bennett v. Multiple Injury Fund, File #CM2016-07242A**

Claimant filed an appeal from the order issued by Administrative Law Judge Inhofe. Alex Forbes represented the Claimant and Jon Derouen represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Tilly

**Those Voting Aye:** Commissioner Liotta, Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Debbie A. Youman v. Owasso Public Schools & Zenith Insurance Co., File #CM2017-01989A**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Bryce A. Hill represented the Claimant and Malcom D. Smith, Jr. represented the Respondent.

**Motion:**

After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Tilly moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Brian A. Cobb v. Insperity Inc. & Indemnity Insurance Co. of North America, File #CM2017-05431Y**

Respondent filed an appeal from the order issued by Administrative Law Judge Lawyer. Bret A. Unterschuetz is the attorney of record for the Claimant and Paul A. Scott is the attorney of record for Respondent.

**THIS CASE WAS STRICKEN FROM THE DOCKET TO BE HEARD AT A LATER DATE.**

**CASE STRICKEN**

**Jeffery A. Ravelette v. Cobb Vantress Inc. (Own Risk #12220) & Tyson Foods (Own Risk #12220), File #CM2017-04507F**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. Bryce A. Hill is the attorney of record for the Claimant and Rose MJ Sloan is the attorney of record for the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Russell moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Tilly

**Those Voting Aye:** Commissioner Liotta, Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**Miguel Torres v. Stone Trucking & New York Marine & General Insurance Co. File #CM2017-07630A**

Respondent filed an appeal from the order issued by Administrative Law Judge Lawyer. Darrel Paul represented the Claimant and Cynthia J. Braly represented the Respondent.

**Motion:** After reviewing the record, hearing oral argument of counsel and deliberating, Commissioner Tilly moved to affirm the Administrative Law Judge's order and issue an order authorizing the Commission's Presiding Appellate Officer to sign and file an order on behalf of the Commission.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta, Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ALJ ORDER AFFIRMED**

**C. Commission Consideration of Adoption of Final Order in the Following Case:**

**Marcella Ayisi v. Sequel Youth & Family Services LLC & Travelers Indemnity Co. of America, File #CM2015-06146X**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Jeffrey M. Cooper & Bob Burke represented the Claimant and Mia C. Rops represented the Respondent.

This case came on for Oral Argument on July 20, 2018. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission affirmed the Administrative Law Judge's order and instructed Appellate Counsel or other staff member to draft a proposed order with findings of fact and conclusions of law. A proposed order has been distributed to the Commissioners for consideration of adoption.

**Motion:** Commissioner Russell moved to adopt the proposed order.

**Second:** Commissioner Tilly

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ORDER ADOPTED**

**Johnnie Mae Brown v. A New Haven Transportation (No Insurance), File #CM2016-02956A**

Claimant filed an appeal from the order issued by Administrative Law Judge Egan. Pam Cornett represented the Claimant and Dana L. Gish represented the Respondent.

This case came on for Oral Argument on July 20, 2018. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement. A proposed order has been distributed to the Commissioners for consideration of adoption.

**Motion:** Commissioner Tilly moved to continue this agenda item.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: CONTINUED**

**Gordon Carriger v, City of Claremore (Own Risk #20096), File #CM2017-01056X**

Respondent filed an appeal from the order issued by Administrative Law Judge Inhofe. J.L. Franks represented the Claimant and Jennifer Aaron represented the Respondent.

This case came on for Oral Argument on July 20, 2018. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took this case under advisement. A proposed order has been distributed to the Commissioners for consideration of adoption.

**Motion:** Commissioner Tilly moved to continue this agenda item.

**Second:** Commissioner Russell

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: CONTINUED**

**Donna Brooks v. Oklahoma Sports Science & Orthopedics & CompSource Mutual Ins. Co (FKA CompSource Oklahoma), File #CM2017-04655J**

Claimant filed an appeal from the order issued by Administrative Law Judge McMillin. Reagan D. Sifferman represented the Claimant and John S. Oldfield, Jr. represented the Respondent.

This case came on for Oral Argument on June 15, 2018. After reviewing the record, hearing oral argument of counsel, and deliberating, the Commission took preliminary action to modify and remand the Administrative Law Judges Order. A proposed order has been distributed to the Commissioners for consideration of adoption.

**Motion:** Commissioner Russell moved to adopt the proposed order.

**Second:** Commissioner Tilly

**Those Voting Aye:** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: ORDER ADOPTED**

**D. Announcements**

Commission's next regular business meeting is Thursday, August 23, 2018. Commission's next regular meeting regarding Appeals is scheduled for Friday, September 21, 2018.

**ADJOURNMENT**

***Motion:*** Commissioner Russell moved to adjourn the meeting at approximately 2:52 p.m.

***Second:*** Commissioner Tilly

***Those Voting Aye:*** Commissioner Liotta and Commissioner Russell and Commissioner Tilly.

**THE MOTION CARRIED: THE MEETING WAS ADJOURNED.**